

HOUSE JOINT RESOLUTION NO. _____

1 Directing the Joint Commission on Technology and Science to study electronic identity credentials and
2 possible liability concerns therewith. Report.

3 WHEREAS, the Internet has become a fundamentally important forum for the conduct of
4 business transactions in, through, and with the Commonwealth; and

5 WHEREAS, confidential information may be accessed by or passed between or among public
6 and private entities as well as members of the general public; and

7 WHEREAS, user and data security is under constant and ever-increasing risk of unauthorized
8 access and misappropriation; and

9 WHEREAS, the validation and authentication of authorized user identities is imperative to
10 maintaining the security and integrity of information that may be accessed or transferred through the
11 Internet; and

12 WHEREAS, authorized users are commonly issued certain electronic security credentials that
13 allow their identity to be verified and authenticated so they may access restricted data or engage in
14 certain business transactions over the Internet; and

15 WHEREAS, certain electronic security credentials may be issued by private entities who are in
16 the business of providing such credentials for use in restricted-access data transfers and in certain
17 business transactions over the Internet; and

18 WHEREAS, electronic security credentials issued by private entities may become increasingly
19 prevalent tools by which user identities will be validated in order to obtain access to certain confidential
20 or classified data or to engage in business transactions over the Internet; and

21 WHEREAS, electronic security credentials that are used to validate and authenticate user
22 identities are commonly based upon state issued identifying documentation such as birth certificates and
23 drivers licenses; and

24 WHEREAS, certain liability concerns may arise concerning private entities that issue electronic
25 security credentials; now, therefore, be it

26 RESOLVED by the House of Delegates, the Senate concurring, That the Joint Commission on
27 Technology and Science be directed to study electronic identity credentials and any possible liability
28 concerns therewith.

29 In conducting its study, the Joint Commission on Technology and Science shall (i) coordinate
30 with stakeholders in both the public and private realm to identify opportunities, challenges, and
31 strategies for the issuance of electronic security credentials; (ii) identify potential uses of electronic
32 security credentials in transactions involving the Commonwealth; (iii) identify the role the
33 Commonwealth should play in the issuance of identification documentation used by private electronic
34 security credentialing services; (iv) identify policies and craft legislation that would facilitate the use and
35 issuance of electronic security credentials; (v) identify and address through policies and legislation any
36 liability considerations that may arise through the issuance of electronic security credentials by private
37 entities; and (vi) consider such other related issues as the joint commission deems appropriate.

38 Technical assistance shall be provided to the Joint Commission on Technology and Science by
39 the Division of Legislative Services. All agencies of the Commonwealth shall provide assistance to the
40 Joint Commission on Technology and Science for this study, upon request.

41 The Joint Commission on Technology and Science shall complete its meetings by November 30,
42 2012, and the chairman shall submit to the Division of Legislative Automated Systems an executive
43 summary of its findings and recommendations no later than the first day of the 2013 Regular Session of
44 the General Assembly. The executive summary shall state whether the Joint Commission on Technology
45 and Science intends to submit to the General Assembly and the Governor a report of its findings and
46 recommendations for publication as a House or Senate document. The executive summary and report
47 shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for
48 the processing of legislative documents and reports and shall be posted on the General Assembly's
49 website.

50 #